

Honolulu, Hawaii

MAR 24 2015

RE: H.B. No. 346
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 346, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE CIVIL PROCESS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase to unspecified amounts the fees of the sheriff, deputy sheriff, police officer, or certain independent civil process servers for the service of any civil summons, warrant, attachment, or other civil process; any copy of an attachment and inventory of property attached; any execution; any subpoena; any subpoena duces tecum; any garnishee summons; returning process as unserved; any bill of sale; executing and acknowledging a deed; drawing a bond; or any writ of possession or restitution;
- (2) Increase to an unspecified amount the mileage fee in serving any process; and
- (3) Increase to an unspecified amount the hourly rate that is agreed upon in advance between the party requesting the service and the sheriff, deputy sheriff, police officer, or an independent civil process server performing the service in lieu of any fee under section 607-4(d) or 607-8(a), Hawaii Revised Statutes.



Your Committee received testimony in support of this measure from the Department of Public Safety and twenty-five individuals. Your Committee received testimony in opposition to this measure from the Collection Law Section of the Hawaii State Bar Association. Your Committee received comments on this measure from the Hawaii Bankers Association, Hawaii Credit Union League, and Hawaii Financial Services Association.

Your Committee finds that periodic fee increases for services rendered may be necessary as operating costs increase. This measure reflects the rise in costs for serving of civil process.

Your Committee has amended this measure by changing the blank amounts to the respective specific amounts reflected in H.B. No. 346 as introduced during the Regular Session of 2015, to encourage further discussion by the Committee on Ways and Means on the service of civil process fee schedules.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 346, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 346, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 346 HD1	Committee Referral: JDL, WAM	Date: 3/18/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
THIELEN, Laura H.				✓
SLOM, Sam		✓		
TOTAL	4	1	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes